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EU Petfood Regulations

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Approved by:

Norval E. Francis

U.S. Mission to the European Union, Brussels

Prepared by:

Gerda Vandercammen

Report Highlights:

This document is intended provide guidance to U.S. petfood exporters on current and future European regulations applicable to petfood.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Brussels USEU [BE2], E2

Summary. All petfood imported from the U.S. into the European Union has to meet EU requirements, relating mainly to health and labeling aspects. These requirements are generally harmonized throughout the 15 EU Member States but they are scattered over different pieces of EU legislation. A number of these requirements are likely to change in the near future as several legislative proposals are under discussion. This document is intended to provide a comprehensive guide on existing EU legislation and to provide an overview of proposals/issues that are currently debated and which may affect your future exports.

The US Department of Agriculture FAS (Foreign Agricultural Service) office at the U.S. Mission to the EU follows the legislative developments taking place in the European Union on a daily basis. As developments take place, information relevant to exporters is published at <http://www.useu.be/agri/usda.html> . If you wish to be updated automatically on changes, please subscribe to "What is new on the USEU Website" by sending an e-mail to BransH@fas.usda.gov

Current EU Requirements: Certificates, Ingredients, Labeling

Health Certificates and APHIS establishment Inspection

A health certificate has to accompany each individual petfood shipment containing product of animal origin. The animal health and/or public health certificates signed by Animal and Plant Health Inspection Service officials serve as a guarantee that individual lots or shipments of products meet EU health requirements. Establishments that wish to export to the EU have to request inspection of an APHIS field office (http://www.aphis.usda.gov/vs/area_offices.htm) and get an APHIS approval number for export to the EU. This approval number will also be put on the certificate. A statement guaranteeing that SRM's (specified risk materials) have been removed needs to be added to the certificate.

The APHIS website provides Specimen Health Certificates for:

- [Petfood in hermetically sealed containers, Annex A to Commission Decision 97/199/EC](#)
Use this certificate for non-mammalian, and high and low risk mammalian source petfood, canned
- [Semimoist pet food, Annex B to Commission Decision 94/309/EC](#)
Use this certificate for mammalian low-risk source semi-moist petfood
- [Dried pet food, Annex C to Commission Decision 94/309/EC](#)
Use this certificate for mammalian low-risk source dried petfood
- [Processed animal protein, Annex B to Commission Decision 97/198/EC](#)
Use this certificate for non-mammalian (poultry & fish) petfood, dry or semi-moist and for mammalian high-risk source petfood, dry or semi-moist

The APHIS website provides [Guidelines for Petfood Exports to the EU](#), and additional information can also be obtained from the APHIS headquarters:

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

National Center for Import and Export

Technical Trade Services

Animal Products Staff

Import/Export Animals Staff

Tel: (301) 734 8364

Fax: (301) 734 8226

Petfood Ingredient Requirements**A. Authorized Ingredients and Additives**

In the EU, there is no positive list of ingredients that can be used in petfood. A positive list is however in place for additives and the so-called technical proteins. An up-to-date consolidated version of the list of authorized additives can be obtained from our office. This contains the additives approved in Directive 70/524/EEC and all subsequent amendments and the technical proteins such as yeasts that are authorized in the EU by Directive 82/471/EEC.

B. Prohibited Ingredients**– Industrial Waste**

Several ingredients are prohibited in feed. For a long time, several types of industrial and household waste have been prohibited. These ingredients are listed in [Decision 91/516](#), and have not been an issue for the petfood industry.

– Animal By-Products

In October of last year, however, the EU just developed new rules restricting the use of "animal by-products" or the part of a slaughter animal not directly consumed by humans. These new rules will effectively prohibit certain ingredients that have commonly been used by U.S. petfood manufacturers. The new rules were developed as a direct consequence of the BSE crisis, and overwrite the currently applicable rules contained in Council Directive 90/667 which form the basis of the above-mentioned APHIS animal health certificates. The new animal by-products rules were published in [Regulation 1774/2002](#) and are scheduled to go into effect on May 1, 2003. The U.S. has officially requested a delay in the implementation. New developments on this issue will be published on [our website](#).

The following issues covered will have practical consequences for the U.S. petfood exports to the EU:

– **fit for human consumption:** all ingredients used for the manufacture of petfood have to be "fit for human consumption" according to EU standards. Only animals declared healthy after ante- and post-mortem examination will qualify as ingredients for petfood. Fallen stock is banned.

– **registration:** petfood and rendering plants will have to be registered by and approved by the "third country competent authority", in this case APHIS as complying with EU requirements including regular inspection by the competent authority, mandatory record keeping and salmonella and enterobacteriaceae testing. Only products from companies

on the approved establishments list will pass border control into the EU.

– **segregation:** plants manufacturing and storing petfood will not be allowed to manufacture and store animal by-products that do not fulfill EU petfood requirements..

– **raw petfood:** will have to be labeled "petfood only"

– **denaturing:** petfood will have to be marked permanently. Substances allowed for marking will have to be determined at the implementation stage of the future legislation. The EU industry has proposed that charcoal markings on the outside of the petfood pallets will be used.

– **new certificates:** New import certificates will have to be used: dogchews, raw petfood, canned petfood (previously called petfood in hermetically sealed containers), unprocessed animal by-products for the manufacture of petfood, processed petfood other than canned (combining the current dried petfood and semi-moist petfood certificate).

– **yellow grease:** will be banned when the regulation is fully implemented.

– ***Specified Risk Materials***

U.S. Petfood certificates currently have to include a statement certifying that SRMs (specified risk materials) have been removed. The Commission has proposed to prolong this transitional measure until July 2005. The two year extension is designed for the Commission to continue its attempt to reach an agreement at international level (OIE) on the determination of BSE status of countries on the basis of risk. The decision on the final BSE category will determine whether the U.S. will have to continue to remove SRM's from petfood. Detailed information on this issue is available from [our website](#)

Petfood labeling Requirements

A. General Requirements

General labeling requirements for petfood are established in Council Directive [Council Directive 79/373/EEC](#). This directive has been amended many times and the consolidated version available from the website includes these amendments. The EU directive on additives on feedingstuffs ([Directive 70/524/EEC](#)) lists all authorized additives (in the annex) and provides labeling requirements for petfood containing additives (art 16).

The directive allows multilanguage labels, but at the same time requires that the label be at least in the language of the country where the product is sold. In practice, countries apply the following language requirements:

UK & Ireland	British English
France	French
Belgium	Dutch AND French
Netherlands	Dutch
Germany & Austria	German
Italy	Italian
Portugal	Portuguese

Sweden	Swedish
Finland	Finnish
Spain	Spanish
Denmark	Danish
Luxembourg	French OR German (or regional language Luxemburgian)
Greece	Greek

Compulsory Information

Listing of the following information is compulsory. It shall be shown in a space on the packaging, on the container or on a label attached to it.

– description of the petfood and the species or category of animal for which the petfood is intended. e.g. "Complete feedingstuff for cats". Definitions of "complete feedingstuffs", "complementary feedingstuffs" and "mineral feedingstuffs" are given below.

"Complete feedingstuff or "complete petfood": Mixture that is sufficient for a daily ration because of its composition

In other EU languages: "Fuldfoder" (Danish)

"Alleinfuttermittel" (German)

"B8ZDOH JD@NZ" (Greek)

"Pienso completo" or "Alimento completo" (Spanish)

"Täysrehu" (Finnish)

"Aliment complet" (French)

"Mangime completo" (Italian)

"Volledig diervoeder" or "volledig samengesteld voeder" (Dutch)

"Alimento completo" (Portuguese)

"Helfoder" (Swedish)

"Complementary feedingstuff or "complementary petfood": Mixture which has a high content of certain substances. Because of its composition this is only sufficient for a daily ration if used in combination with other feedingstuffs.

In other EU languages: "Tilskudsfoder" (Danish)

"Ergänzungsfuttermittel" (German)

"FL: B8ODT: "J46Z JD@NZ" (Greek)

"Pienso complementario" or "Alimento complementario" (Spanish)

"Täydennysrehu" (Finnish)

"Aliment complémentaire" (French)

"Mangime complementare" (Italian)

"Aanvullend diervoeder" or "aanvullend samengesteld voeder" (Dutch)

"Alimento complementar" (Portuguese)

"Kompletteringsfoder" (Swedish)

"Mineral Feedingstuff": Complementary feedingstuffs composed mainly of minerals and

containing at least 40 % crude ash.

In other EU languages: "Mineralsk foder" (Danish)
"Mineralfuttermittel" (German)
"᾿ D (" < O JD@NZ" (Greek)
"Pienso mineral" or "Alimento mineral" (Spanish)
"Kivennäisrehu" (Finnish)
"Aliment minéral" (French)
"Mangime minerale" (Italian)
"Mineraalmengsel" (Dutch)
"Alimento mineral" (Portuguese)
"Mineralfoder" (Swedish)

– directions for proper use

– listing of all ingredients indicating the amount contained or in descending order by weight
Or

listing of the ingredient categories, whereby the following category indications may be used: meat and animal derivatives, milk and milk derivatives, eggs and egg derivatives, oils and fats, yeasts, fish and fish derivatives, cereals, vegetables, derivatives of vegetable origin, vegetable protein extracts, minerals, various sugars, fruit, nuts, seeds, algae, molluscs and crustaceans, insects, bakery products

– listing of additives.

It is compulsory to list antioxidants, colorants and preservatives using respectively the words "with antioxidant", "Colorant" or "colored with", "preservative" or "preserved with" followed by the specific name of the additive provided in the list of approved additives or, under certain conditions followed by "EC additives". Other It is also compulsory to label the presence of vitamins E, A and D and copper and their levels. Labeling of other trace elements and vitamins including their levels may be done, provided the levels can be determined by valid scientific methods of analysis. Labeling of other additives from the approved list such as aromatic and appetizing substances, emulsifiers, stabilizers, thickeners and gelling agents, acidity regulators is optional.

In case Copper, Selenium, vitamin A & D are added, the manufacturer/dealer has to be registered and the registration number has to be mentioned on the label.

All "technical proteins", such as yeasts need to be listed.

– Claims:

The labeling of petfood may also draw attention by a specific declaration to the presence or low content of one or more ingredients, which are essential for characterizing the petfood. In such a case, the minimum or maximum content, expressed in terms of percentage by weight of the ingredient(s) incorporated, shall be clearly indicated:

- * either next to the declaration drawing special attention to the ingredient
- * or in the ingredient list by mentioning the name of the ingredient or ingredient category and the corresponding percentage(s) by weight

Labeling may not be misleading, in particular by attributing to the feedingstuff effects or properties that it does not possess or by suggesting that it possesses special characteristics when in fact all similar feedingstuffs possess such characteristics. Claims that the feedingstuff will prevent, treat or cure a disease are prohibited.

– declaration of analytical constituents

Indication of the moisture content is compulsory if it exceeds:

- * 5 pct in the case of mineral feedingstuffs containing no organic substances
- * 10 pct in the case of mineral feedingstuffs containing organic substances
- * 14 pct in the case of other compound feedingstuffs.

In other cases, declaration of the moisture content is optional

Indication of the ash content of non-mineral feedingstuffs is optional. It has to be below 2.2 pct. Declaration of ash content is compulsory in mineral feedingstuffs

Compulsory declaration of crude protein, crude fiber, crude ash, crude oils and fats in complete and complementary dog and catfood.

Compulsory declaration of calcium, phosphorus and sodium in complementary mineral feedingstuffs for all species.

– the name or business name and the address or registered place of business of the person responsible for the information on the label.

– Container Contents

The net quantity expressed in units of mass (kg or g) in the case of solid products, and in units of mass (kg or g) or volume (l, cl, ml) in the case of liquid products. Metric units are compulsory. Metric and imperial units may be used on the same label.

To benefit from free movement within the EU, it is advisable to apply the [voluntary standard](#) on the maximum tolerable error between the actual content and the quantity indicated on the label, and on the size of the figures indicating the quantity. A small "e" of at least 3 mm on the label may be used to guarantee that the actual content corresponds to the quantity indicated. The size of the figures indicating the quantity depends on the nominal quantity: nominal quantity greater than 1000 g or 100 cl: at least 6 mm high; greater than 200 g/20 cl but less than 1000 g/100 cl: at least 4 mm; greater than 50 g/5 cl but less than 200 g/20 cl: at least 3 mm; less than 50 g/2 cl: 2 mm. The size is followed by the unit of measurement.

Manufacturers may decide to mark the net quantity outside the space on the packaging, on the container or label where all other compulsory information is provided. In that case, an indication shall be given of where this information appears.

– the shelf life is indicated by the words "Use before..." followed by the date (day, month and year) in the case of microbiologically highly perishable petfood or "Best before.." followed by the date (month and year) in the case of other petfood.

Manufacturers may decide to mark the shelf life outside the space on the packaging, on the

container or label where all other compulsory information is provided. In that case, an indication shall be given of where this information appears.

– the batch reference number

Manufacturers may decide to mark the batch reference number outside the space on the packaging, on the container or label where all other compulsory information is provided. In that case, an indication shall be given of where this information appears.

Optional Information.

In addition to the compulsory information mentioned above, only the following information may be put in the space on the packaging, on the container or on a label attached to it.

– Identification mark or trade mark of the person responsible for the information on the label

– The name or business name and the address or registered place of business of the manufacturer, if this is not the person responsible for the information on the label

– the country of production or manufacture

– the price of the product

– the description or trade name of the product

– an indication of the processing the petfood has undergone

– In petfoods for which the above specified compulsory analytical constituent declaration does not apply, an analytical declaration of ingredients is optional

– the date of manufacture to be indicated as follows:

"manufactured...[days, months or year(s)] before the minimum storage life expiry date indicated"

B. Requirements for Petfood for Particular Nutritional Purposes

[Council Directive 93/74/EEC](#) on petfood for particular nutritional purposes covers e.g. cat and dogfood intended for animals with insufficient renal or liver functions. In addition to the general labeling requirements, specific labeling information is provided:

Compulsory

– the expression "dietetic" together with the description of the petfood

– particular nutritional purpose. For each of the particular nutritional purpose defined in [Council Directive 94/39/EEC](#) the corresponding:

- * indication of the essential nutritional characteristics
- * labeling declaration

- * recommended length of use
- * other provisions

The following particular nutritional uses are listed:

- * Support of renal function in case of chronic renal insufficiency
- * Dissolution of struvite stones
- * Reduction of struvite stone recurrence
- * Reduction of urate stone formation
- * Reduction of oxalate stones formation
- * Reduction of cystine stones formation
- * Reduction of ingredient and nutrient intolerances
- * Reduction of acute intestinal absorptive disorders
- * Compensation for maldigestion
- * Support of heart function in case of chronic cardiac insufficiency
- * Regulation of glucose supply
- * Support of liver function in case of chronic liver insufficiency
- * Regulation of lipid metabolism in case of hyperlipidaemia
- * Reduction of copper in the liver
- * Reduction of excessive body weight
- * Nutritional restoration, convalescence
- * Support of skin function in case of dermatosis and excessive loss of hair

– the indication: "It is recommended that a specialist's (or in some cases veterinarian's) opinion be sought before use"

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– a reference to a specific pathological condition if this corresponds to the particular nutritional purpose of the petfood

– the labeling may highlight the presence or low level of certain analytical constituents essential for the description of the petfood. In this case, the minimum or maximum level of the analytical constituent expressed as percentage weight must be indicated in the list of declared analytical constituents.

C. Other EU Requirements

– Wooden pallets used to transport goods from the U.S. to the EU have to comply with measures adopted by the EU requiring the treatment and marking of all new and used coniferous non-manufactured wood packing material originating in the United States, Canada, China and Japan to prevent the introduction of pinewood nematode. Information on the programs developed to comply with these measures is available from the [APHIS website](#).

– Information on EU legislation concerning pesticides and various contaminants, including mycotoxins is available from our [our website](#).

Future Requirements: Proposals under Discussion

– *traceability /hygiene*

Traceability for all food and feeds produced and imported in the EU will be mandatory. This requirement is gradually being implemented in different sectors. Specific rules on traceability in the petfood sector will be introduced through legislation on feed hygiene, which will be drafted later this year.

– *genetically modified feed*

European legislators are revising the current rules governing the [regulatory review and commercialization of genetically modified food and feed in the EU](#). The new rules will become applicable by July 2004 at the earliest.

The proposed EU labeling and traceability legislation contains three key parts: mandatory biotech labeling for food and feed products that contain or are derived from more than 0.9 % biotech products (irrespective of detectability); provisions for event-specific identity markers (shipments must include a list of which events may be present in the cargo); and a 0.5 % tolerance level for adventitious presence of unapproved biotech varieties (given they have undergone an EU risk assessment).

The provision to require labeling for all products with genetically engineered ingredients exceeding 0.9 %, regardless of detectable protein or DNA will extend mandatory labeling to a number of products which are not covered by current GM labeling rules, including highly refined corn, soy and rapeseed oils, glucose syrup produced from corn starch, soybean meal and vitamin B2. As the presence of GM material may be undetectable, users of genetically engineered ingredients will be required to trace the products through out the production and distribution chains. This information must be retained for 5 years.

Services by other fas posts: Info on Member State Requirements

The current EU legislation requirements apply in the 15 EU Member States. However, Member States may also demand that additional requirements be met or may have their own requirements in areas where EU harmonization has not been concluded yet. For example, by including fats and gelatine, the [French list of SRM's](#) is more extensive than the EU list. For Member State specific information, please contact our FAS offices in the EU countries.
<http://www.useu.be/agri/other.html>